

REMARKS

In a telephonic conversation on 30 July 2007, Applicant indicated to the Examiner that Applicant caused to be filed a Simultaneous Amendment with the filing of the subject application intended to remove multiple dependency. Copies of the Simultaneous amendment and corresponding receipt postcard have been provided to the Examiner.

The Listing of the Claims in the present amendment presume the claims of the Simultaneous Amendment as the immediately prior version of the claims and changes are marked with respect to the claims as listed in the Simultaneous Amendment.

Claims 1-12 were pending in the application. Claim 1 has been amended to include the limitations of claims 3 and 6. Claims 4 and 7 have been amended to depend from claim 1. Support for the amendments to the claims may be found in the claims as originally filed. Claims 8 and 9 have been rewritten in independent form. Claims 2, 3, 5, 6, 11, and 12 are canceled. No new matter has been added.

Objections to the Claims

Claims 8-10 are objected to as being multiple dependent claims depending from multiply dependent claims. Entry of the Simultaneous Amendment will correct the multiple dependency.

Claims Rejections 35 U.S.C. 102

Claims 1-4, 11, and 12 are rejected by the Examiner under 35 U.S.C. 102(b) as being anticipated by DE 9012439; or Kraznai (US 5,065,473). The Examiner's rejection

has been carefully considered. In response to the Examiner's rejection, Applicant has amended claim 1 to incorporate the limitations of claims 3 and 6. Since claim 6 is not rejected as being anticipated by DE 9012439; or Kraznai, Applicant respectfully requests that the rejection of the claims under 35 U.S.C. 102(b) be withdrawn.

Claims Rejections 35 U.S.C. 103

Claims 5-7 are rejected by the Examiner under 35 U.S.C. 103(a) as being unpatentable over DE 9012439 or Kraznai (US 5,065,473) in view of Lenkiewicz (US 2005/0050672). The Examiner's rejection has been carefully considered.

Claims 5 and 6 are canceled. The limitations of claim 6 are incorporated into amended claim 1. Claim 1, as amended is not unpatentable over DE 9012439 or Kraznai in view of Lenkiewicz because Lenkiewicz ('672) teaches a liquid supply tank and not a dust collecting box for a vacuum system, as presently claimed. One skilled in the art would have had no motivation, at the time that the invention was made, to combine a tank that supplies liquid with a box for collecting particles in a vacuum system for a hand power tool. The tank taught by Lenkiewicz would not have been relevant to an engineer developing a dust collecting system. Applicant respectfully requests that the rejection under 35 U.S.C. 103(a) be withdrawn.

Applicant wishes to confirm the telephone conference with the Examiner on July 30, 2007. During that conversation it was indicated that applicant caused to be filed a Simultaneous Amendment with the filing of the subject application intended to remove multiple dependency. Attached hereto is a copy of the Simultaneous Amendment and a copy of the receipt postcard.

However, it appears that the Simultaneous Amendment was not scanned into the file of the subject application. Accordingly, it has been agreed that responsive to this

Amendment the Examiner will take into consideration the Simultaneous Amendment previously filed and the next Office Action will not be a Final Action.

Conclusion

The application in its amended state is believed to be in condition for allowance. Action to this end is courteously solicited. Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully submitted,



Michael J. Striker
Attorney for Applicant
Reg. No.: 27233
103 East Neck Road
Huntington, New York 11743
631-549-4700